

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

EVERYTOWN FOR GUN SAFETY
ACTION FUND, INC.,

Plaintiff

v.

DEFCAD, INC.; ODYSEE USER
XYEEZYSZN; DEFCAD USER
XYEEZYSZN; ODYSEE USER
THEGATALOG-
PRINTABLEMAGAZINES; THE
GATALOG; DEFCAD USER
FREEMAN1337; TWITTER USER
XYEEZYSZN; PHILLIP ROYSTER.

Defendants

Civil Action No. 1:21-cv-08704-PGG

**DECLARATION OF DEFENDANT DEFCAD USER
FREEMAN1337 IN OPPOSITION TO ENTRY OF A
PRELIMINARY INJUNCTION AND ON ISSUES
CONCERNING PERSONAL JURISIDCTION AND VENUE**

1. I am anonymous Defendant Defcad User Freeman1337 in the within matter. I am over the age of 18, have personal knowledge of the facts and events referred to in this Declaration, and am competent to testify to the matters stated below.

2. All of the facts and statements made herein are within my personal knowledge. I make this Declaration in opposition to the entry of a preliminary injunction and on issues concerning personal jurisdiction and venue.

3. I believe Everytown's agenda violates the fundamental rights of every American citizen and reduces public safety. I believe the work they do is very harmful. My "Everytown" 22lr magazine is intended to be parody. Given Everytown's stance and agenda, they are ripe to be made an example of, and there is no better way to send the right political message of disapproval than through mockery and satire.

4. I have chosen to be anonymous on the internet for my personal safety and that of my family.

5. Prior to making my internet activities anonymous, I was direct messaged and threatened on Twitter and other platforms. Threats ranged from communication of my personal views and beliefs to my employer in the hopes of getting me fired to threats to murder me and my family with our own firearms as "payment for lives lost at Sandy Hook."

6. I do not live or work and have never lived or worked in the State of New York. I do not conduct business and have never conducted business in or with anyone in the State of New York. I do not own property in New York.

7. I do live within the United States District Court for the Western District of Texas, and therefore I am amenable to personal jurisdiction and venue in that district.

8. I have never sent any files as alleged in the Complaint to anyone in the State of New York.

9. I have made a special and limited appearance in this case to contest jurisdiction and venue and also to address, as an emergency matter, this court's November 5, 2021 Order to Show cause which authorizes expedited discovery calculated to enable the Plaintiff to learn my true identity.

10. I consent to jurisdiction and venue in this lawsuit only in the United States District Court for the Western District of Texas.

11. I have disclosed to my attorneys my true identity.

12. I further agree to be bound by and comply with the orders of whichever federal court is ultimately found to have proper jurisdiction and venue and which ends up hearing this case after all avenues of appeal and review have been exhausted. Therefore, there is no need to learn my true identity in order to litigate this matter.

13. In order to retain my anonymity I am signing this declaration with an X, which should be considered as my signature.

I declare under penalty of perjury that the foregoing is true and correct. Executed within the United States.


Defcad User Freeman1337

Dated: November __, 2021